

REMARKS/ARGUMENTS

This paper is submitted in response to the Office Action mailed July 21, 2004. A Request for a One Month Extension of Time, under 37 CFR 1.136(a) is submitted herewith, along with the fee prescribed by 37 CFR 1.17(a)(1). The response is therefore timely.

Claims 1-19 were examined. Claims 18 and 19 were allowed. Claims 1, 3, 4, 15, and 16 were rejected as anticipated by US 5150987 – White et al. Claims 2 and 5 were rejected under 35 U.S.C. §103(a) as unpatentable over White et al. in view of US 6746182 – Munk et al. Claims 6-10 and 12 were rejected under 35 U.S.C. §103(a) as unpatentable over White et al. in view of US 4913238 – Danazcko et al. Claims 7 and 11 were rejected under 35 U.S.C. §103(a) as unpatentable over White et al. in view of US 6375391 – Borseth et al. Claim 17 was rejected under 35 U.S.C. §112, second paragraph, but was held to define allowable subject matter. It was held that claim 17 would be allowable if rewritten to overcome the Section 112 rejection and to include all of the limitations of the base claim and any intervening claims. Claims 13 and 14 were likewise held to define allowable subject matter, but were objected to as depending from a rejected claim.

By this amendment, Claim 1 has been canceled, and replaced by new independent claim 20. Claim 20 includes the allowable subject matter of claim 17 (which has been canceled as superfluous). Claim 20 also makes it clear that the central columnar buoyancy apparatus is vertically movable between upper and lower positions relative to the base and deck structure, while the central buoyancy apparatus of White et al. is apparently fixed relative to the base. Therefore, it is respectfully submitted that new claim 20 is allowable over the art of record.

Claims 2-16 have been amended to depend from new claim 20. These claims define the novel aspects of the invention in greater detail, and should therefore be allowable along with claim 20.

Applicant has addressed the objection to the specification by amending the specification to change the reference to “application no.09/850,599” to “US Pat. 6,679,331.” The newly referenced US patent issued from the previously referenced application; therefore, no new matter

has been added.

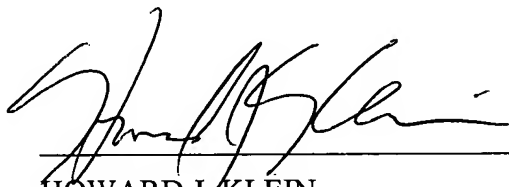
The specification has also been amended to change the reference numeral of the vertical rails from "46" to "47," while the drawings have been correspondingly amended to add the reference numeral "47" to Figure 2B to point out the vertical rails. These amendments address the objection to the drawings set forth in the office action. Again, no new matter has been added.

Finally, applicant respectfully requests that Examiner make of record the prior art cited in the Information Disclosure Statement filed October 10, 2003, a copy of which is enclosed herewith, along with a copy of the postcard receipt.

In summary, it is respectfully submitted that claims 2-20, as amended, are now allowable. Passage of the application to issue is respectfully requested.

Respectfully submitted,

Date: November 16, 2004



HOWARD J. KLEIN
Registration No. 28,727

Klein, O'Neill & Singh, LLP (Customer No.: 22145)
2 Park Plaza, Suite 510
Irvine CA 92614
Tel: (949) 955-1920
Fax: (949) 955 1921
E-mail: hjklein@koslaw.com

Attorney Docket No. 713-53-PA

Amendments to the Drawings:

A Replacement Drawing Sheet 2, containing Figures 2A, 2B, and 2C, is submitted herewith. Figure 2B has been amended by adding the reference numerals "47" for the vertical rails on the periphery of the central columnar buoyancy apparatus 26.